

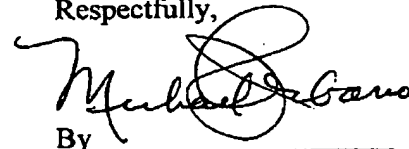
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JUN 22 2005

Belyanin 1-114-29-1-2-10-43
Serial No. 10/812,328

Accordingly, it is respectfully submitted that Applicant's comments serve only to clarify the record and provide no basis for withdrawing the case from issue.

Respectfully,



By

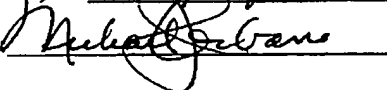
Michael J. Urbano
Attorney for Applicant(s)
Reg. No. 24, 522
610-691-7710

Date: 06/22/05

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Michael J. Urbano



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Belyanin 1-114-29-1-2-10-43
Serial No. 10/812,328

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Patent Application

Inventors(s): Alexey Belyanin
Alfred Yi Cho
Claire F. Gmachl
Oana Malis
Milton L. Peabody
Arthur Mike Sargent
Deborah Lee Sivco

Case: 1-114-29-1-2-10-43

Serial No.: 10/812,328 Group Art Unit: 2874

Filing Date: March 29, 2004 Examiner: John D. Lee

Title: Phase Matched Parametric Light Generation
in Monolithically Integrated Intersubband Optical Devices

THE COMMISSIONER OF PATENTS AND TRADEMARKS
ALEXANDRIA, VA 22313-1450

SIR:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

In the Notice of Allowability of April 1, 2005, the Examiner made the following statement, *inter alia*, in his Reasons for Allowance:

...The prior art also fails to disclose or suggest such a waveguide-based device wherein...such phase matching width is *equal to* the ridge width of the waveguide. Claims 1-16 herein are therefore allowed. (Emphasis added)

Although Applicant agrees with the Examiner's general grounds for allowance of claims 1-16, he must take issue with some of the language used, to the extent that the problem language is inconsistent with independent claims 1 and 16. More specifically, the phrase *equal to* presents the following problem: the phase matching width, as recited in claim 1, line 18 and claim 16, line 31, *need not* be strictly *equal to* the ridge width. Rather, these claims require only that "said ridge width is *essentially equal to* said phase matching width." (Emphasis added)

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|---------------------------------|--|
| Date: June 22, 2005 | No. Pages (incl. cover): 3 |
| To: Examiner John D. Lee | From: Michael J. Urbano Intellectual Property Attorney |
| Location: USPTO (Art Unit 2874) | Location: 1445 Princeton Drive Bethlehem, PA 18017-9166 |
| Phone No: (571)-272-2351 | Phone No.: 610-691-7710 Fax No: 610-691-8434 |
| Fax No: (703)-872-9306 | Subject: Application SN 10/812,328 Beyanin 1-114-29-1-2-10-43 |

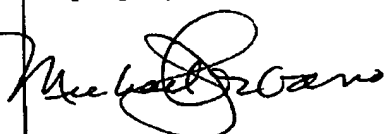
COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

Commissioner for Patents
Examiner John D. Lee

Mr. Lee:

The attached paper contains Applicants' comments on the "Examiner's Statement of Reasons for Allowance" in the above-captioned patent application..

Respectfully,



Michael J. Urbano
Attorney for Applicant(s)
Reg. No. 24,522

Cc: John F. McCabe, Esq.

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